

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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REO BOREN,

Plaintiff,

v.

BOCCA, et al.,

Defendants.

3:08-cv-00174-LRH-VPC

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#131¹) entered on December 8, 2010, recommending that Plaintiff's Motion for an Injunctive Order to Preserve Evidence/TRO (#124) be DENIED, that Plaintiff's Motion for Judicial Intervention to Order Preservation of Evidence and Reverse Dismissal (#128) be DENIED as moot in light of the Report and Recommendation (#131) and the District Court's orders denying reconsideration (#115) and denying Plaintiff's Motion to Vacate (#127), that Defendants' Motion to Strike Plaintiff's Motion for an Injunctive Order to Preserve Evidence/TRO (#126) be GRANTED, and that Defendants' Second Motion to Strike (#130) be GRANTED in light of the Report and Recommendation (#131). No objection to the Report and Recommendation has been filed. The action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)B and Local Rule 1B 1-4 of the Rules of Practice of the United

¹Refers to court's docket number.

1 States District Court for the District of Nevada.

2 The Court has conducted its *de novo* review in this case, has fully considered the pleadings and
3 memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B)
4 and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation
5 (#131) entered on December 8, 2010, should be adopted and accepted.

6 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
7 (#131) entered on December 8, 2010, is adopted and accepted.

8 IT IS FURTHER ORDERED that Plaintiff's Motion for an Injunctive Order to Preserve
9 Evidence/TRO (#124) is DENIED.

10 IT IS FURTHER ORDERED that Plaintiff's Motion for Judicial Intervention to Order
11 Preservation of Evidence and Reverse Dismissal (#128) is DENIED as moot in light of the Report and
12 Recommendation (#131) and the District Court's orders denying reconsideration (#115) and denying
13 Plaintiff's Motion to Vacate (#127).

14 IT IS FURTHER ORDERED that Defendants' Motion to Strike Plaintiff's Motion for an
15 Injunctive Order to Preserve Evidence/TRO (#126) is GRANTED.

16 IT IS FURTHER ORDERED that Defendants' Second Motion to Strike (#130) is GRANTED
17 in light of the Report and Recommendation (#131).

18 IT IS SO ORDERED.

19 DATED this 6th day of April, 2011.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE